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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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ORACLE USA, INC.; a Colorado corporation;
ORACLE AMERICA, INC.; a Delaware

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corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

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Plaintiffs,

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v.

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RIMINI STREET, INC., a Nevada corporation;
and SETH RAVIN, an individual,

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Defendants.

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Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF LINDSEY M.
SHINN IN SUPPORT OF
ORACLE'S REPLY IN SUPPORT
OF MOTION TO COMPEL RE
POST-INJUNCTION DISCOVERY**

DECLARATION OF LINDSEY M. SHINN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

I, Lindsey M. Shinn, declare as follows:

1.   I am an attorney admitted to practice law in the State of California and before the Court in this action *pro hac vice*. I am an associate at Morgan, Lewis & Bockius LLP, counsel of record for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively "Oracle") in this action. I have personal knowledge of the facts stated below and could and would testify to them if called upon to do so.

2.   Attached as Exhibit 1 is a true and correct excerpt of RSI007100400, produced by Rimini in this case.

3.   Attached as Exhibit 2 is a true and correct excerpt of RSI007036694, produced by Rimini in this case.

4.   Attached as Exhibit 3 is a true and correct excerpt of RSI007318716, produced by Rimini in this case.

5.   Attached as Exhibit 4 is a true and correct excerpt of RSI2_000175614, produced by Rimini in *Rimini II*, which Oracle introduced as Deposition Exhibit 89 during the November 18, 2016 deposition of Rimini employee Susan Tahtaras in *Rimini II*.

6.   Attached as Exhibit 5 is a true and correct copy of RSI007387150, produced by Rimini in this case. RSI007387150 is the single document that Rimini produced in response to Request for Production No. 11. It is titled "Summary Analysis for PeopleSoft 9.2 – FSCM Images 1-28 HCM Images 1-27," which the Declaration of Frank Reneke also refers to as the "White Paper." ECF No. 1295-5, Declaration of Frank Reneke ¶ 6.

7.   Mr. Reneke avers that "[i]t is Rimini's legal and marketing departments' policy to ensure that we have cited reference materials in articles and other Online Materials where appropriate. Generally, this is done by use of footnotes or end notes." Reneke Decl. ¶ 4.

8.   Mr. Reneke avers that "[i]t is my practice to accurately attribute information to the sources I rely on when I create content for Rimini's website." Reneke Decl. ¶ 10.

9.   I reviewed Exhibit 5 on December 20, 2019.

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DECLARATION OF LINDSEY SHINN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

10.   I confirmed that there are nine endnotes listed at the end of Exhibit 5. RSI007387150 at RSI007387160.

11.   I confirmed that endnotes 1-8 are not cited in the body of Exhibit 5. Endnote 9 is cited in the body of Exhibit 5. RSI007387150 at RSI007387156. An endnote 10 is cited in the body of Exhibit 5, but there is no endnote 10 in the list of endnotes at the end of Exhibit 5. RSI007387150 at RSI007387155, RSI007387160.

12.   Endnote 1 of Exhibit 5 references the URL https://apexapps.oracle.com/pls/apex/f?p=10319:3:::NO:3:P3 X PRODUCTLINE,P3 X IMG HID:SCM,SCM.gif. On December 20, 2019, I confirmed that trying to access this link returns a web browser error indicating that the requested page does not exist. Using the Internet Archive search available at https://archive.org/web/ ("Internet Archive"), I was unable to locate an archival record of any such page on or around September 2018, the publication date of Exhibit 5.

13.   Endnote 4 of Exhibit 5 references the URL https://blogs.oracle.com/peopletools/peoplesoft-update-manager. On December 20, 2019, I confirmed that the URL is accessible, and links to the "PUM Home Page," https://support.oracle.com/epmos/faces/DocumentDisplay?id=1464619.1, which requires login with an Oracle account username and password. The URL https://blogs.oracle.com/peopletools/peoplesoft-update-manager describes the PUM Home Page as a "[s]ingle site that contains all PUM related content, training, and image schedules, as well as links to all information mentioned below." Exhibit 5 refers to Rimini's "analysis of the contents of these PUM images." RSI007387150 at RSI007387156.

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DECLARATION OF LINDSEY SHINN IN SUPPORT OF ORACLE'S REPLY
IN SUPPORT OF MOTION TO COMPEL

1   14.   Endnote 5 of Exhibit 5 references an "Oracle support policy of classic pages in 9.2

2 available at RECONNECT conference presentation slide 19" and provides the "Reconnect

3 session ID 103040." However, there is no associated URL or any other information from which

4 to identify or verify the existence of such a document.

5

6   I declare under penalty of perjury under the laws of the United States that the foregoing is

7 true and correct and that this declaration is executed at San Francisco, California, on December

8 20, 2019.

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11 Dated: December 20, 2019   */s/ Lindsey M. Shinn*

12   Lindsey M. Shinn

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14   Attorneys for Plaintiffs Oracle USA, Inc., Oracle
                                      America, Inc. and Oracle International
15   Corporation

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